

S/N: 10/771,634

Atty Dkt No. 3127 PUS

REMARKS

Applicant has amended the title to be more descriptive.

Claim 13 has been amended to correct an antecedent basis issue.

Claims 1 and 17 have been amended to recite that the peripheral portion includes an outer portion having an upper free end abutting an inner surface of the wall structure. Such is not shown in Padovani (US 4,726,489). Therefore claims 1 and 17 are not anticipated by Padovani.

Claims 1-5 have been rejected as obvious over Straussman (US 5,839,604) in view of Dudzik (US 4,887,735). The Examiner has argued that it would be obvious to modify Straussman to include a tapered sidewall. However, Straussman is a paint container. It would therefore be highly undesirable for the lid to be pressed into the container such that the outer portion of the lid contacts the inner surface of the wall as is claimed. In fact, the upper lip 20 in Straussman is intended to prevent this. Additionally, this would prevent a "free end" of the outer portion from contacting the inner surface of the container wall. Therefore, claims 1-5 are not obvious over Straussman and Dudzik.

Claims 1, 2 and 7 have been rejected as obvious over Grabher (US 6,138,899) in view of Dudzik. Claim 1 recites an outer portion having an upper free end abutting an inner surface of the wall structure. Grabher includes a cylinder section 6 which prevents the lid from being pressed into the container. Therefore it would not be obvious to modify Grabher to include tapered walls (since the lid does is not pressed down into the container).

If any fees are due, please charge Deposit Account No. 50-1984.

Respectfully submitted,

CARLSON, GASKEY & OLDS



John E. Carlson
Registration No. 37,794
400 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8360

Dated: February 28, 2006